

IN The United States District Court For The Middle  
District of Alabama, - Northern Division

Johnny Landrum

Dr. John Allen Jones

Case # 2:07-cv-495-WKW

2007 OCT 10 A 9:35

Motion For Leave To Amend Complaint

BRAD P. HACKETT, CLK  
 U.S. DISTRICT COURT  
 MIDDLE DISTRICT ALA.

Petitioner (Johnny Landrum) pro-se, Plaintiff, seeks permission for leave to Amend Complaint and to supplement pleadings with exhibits. The Court should be aware that the Defendant Dr. Jones or attorneys have 'Never' contacted this plaintiff by U.S. Mail or otherwise. The Plaintiff has never read a response from Dr. Jones nor has any other documentation been provided to this Plaintiff. The grounds for this Motion are as set out above. Plaintiff seeks leave for the sole purpose of providing facts and evidence of "material value" which presently is not before the court. Even though copy machines are not provided for inmates in the law library, Plaintiff will gladly provide a handwritten copy for Defendant's attorney's when an address is provided to the Plaintiff. The attorneys for Defendant do not have this disadvantage as the address of Plaintiff is common knowledge.

Certificate of Service

Plaintiff certifies that he has on this date served a True and same copy of the foregoing upon the Clerk, United States District Court, P.O. Box 711, Montgomery, Ala. 36101-0711

Done on this date 10-8-2007

Johnny Landrum  
P.O. Box 150  
Mt. Meigs Ala. 36057

Please note, a copy will be served to Defendant's attorney when address is recieved,

IN The United States District Court For The Middle  
District of Alabama Northern Division

Johnny Landrum

Dr. John Allen Jones

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207-CV-495-WKW

Motion To Amend - ~~Supplemental~~ pleadings and  
Relief Stated for award and monetary damages

Hon. Judge Susan Russ Walker, pursuant F.R.C.P. Rule 15(a) the Plaintiff Johnny Landrum Comes before this Court pro-se in the above styled motion and cause. Plaintiff request the Court consider the amendment of facts and exhibits brought for determinations in ruling.

Statement of Facts

Plaintiff saw Dr. John Allen Jones at his office and at Baptist Hospital. Please see exhibits attached. Exhibit 'A' "Post-Operative Instructions" depicts the prescriptions ordered after eye surgery. Exhibit 'B' shows "Patient Instructions" advising use of Anesthesiologist prior to surgery also a copy of hospital ID bracelet at top left hand corner. Both pages represent Dr. Jones name and proof that Plaintiff seen him at his office (Baptist Med. Towers) and (Baptist Health Hospital). Dr. Jones has been established by this Court to be a medical contractor of Prison Health Services and acting under color of state law.

Plaintiff had no knowledge that Dr. Jones attorney's had petitioned this Court to reconsider the magistrate's recommendation due to the defendant's attorneys failing to serve Plaintiff. Plaintiff has diligently tried to answer and respond in a timely manner. The facts are Plaintiff has been at a severe disadvantage not knowing any facts that defendant is relying on. It is not possible to manufacture an intelligent argument or response given the handicapped position.

Supplemental Pleadings

The Plaintiff had surgery on June 7, 2006 at Baptist Health Hospital. Plaintiff has suffered eye pain and vision loss since that date. Severe pain is not meant to be dealt with in the manner that has transpired. Plaintiff is without an advocate save for this Court. It has taken 1 yr. and 4 months to convince prison staff to make an appointment to evaluate the damaged eye. The pain and suffering amounts to "medical torture" given the circumstances. The general opinion seems to be, we didn't injure you so we aren't responsible for corrective treatment.

For these reasons, facts and rationale Plaintiff seeks monetary award for pain and suffering, deliberate negligence, causing severe mental anguish and deprivation of normal daily functions, reading and watching T.V. that fill time incarcerated. The damage sustained the injured eye has placed strain on the good eye causing loss of vision and irritation. The faulty lens implanted in the eye is not the correct size and does move which causes pain on a daily basis. The current exam performed here on site says "totally blind" right eye and that diagnosis is accurate in my own opinion. I went to see Dr. Jones to have cataract surgery. I left him without the cataract, but with an eye lens being implanted which was for "another patient" and have been forced to live with the results since June 7, 2006. There is no doubt Dr. Jones performed the surgery. There is no doubt the "wrong lens" was implanted by Dr. Jones. This is "medical malpractice" pure and simple. Dr. Jones is a Medical Contractor and acted under color of State law.

Your Honor, Plaintiff request his day in Court with a trial by jury, to consider the facts and evidence so that the "truth" of the injury caused by actions of Dr. Jones surgical procedures, can be brought to light. The Plaintiff's life is greatly compromised. There is a substantial prejudice to the personal rights of life and liberty in being "blinded" and in prison.

### Supplemental Pleadings and Relief Sought by Plaintiff - Contd.:

The Plaintiff seeks relief from the malpractice of a Doctor whom was trusted to treat an eye disease. The treated eye is worse than before treatment. The level of medical care given by Dr. Jones was unconstitutional and nothing short of cruel and unusual punishment pursuant U.S.C.A. #8. He openly admitted the implanted lens being the wrong lens at his office but stated he'd fix it at a later date. Now he denies even being a medical contractor for state inmates. This Honorable Higher Court holds the U.S. Constitution's remedy to right a wrong. The facts speak clearly and they describe a disadvantaged man whom had medical needs and Dr. Jones was recommended to cure the problem. However, the negligence of Dr. Jones created a much worse problem and denies any responsibility for his actions. The Plaintiff seeks relief by a Jury of his peers and justice from the continuing medical abuse that is ongoing.

### Relief Sought

Plaintiff request the court to evaluate this case and its facts and evidence. To liberally construe the work of a laymen of the law and Grant a date for Evidentiary Hearing or otherwise as deemed necessary. Plaintiff seeks money damages both punitive and compensatory for pain and suffering accompanied by the time of 16 months without relief. The mental anguish involved is of a nature that causes serious depression and feelings of abandon. Plaintiff request this court award the sum of \$5,000,000 (five million dollars) from the defendant and to set the record straight regarding professional conduct of a contractor acting under color of Alabama State law.



## Certificate of Service

Plaintiff certifies that he has served a True and Same Copy upon the Clerk, United States District Court, P.O. Box 711 Montgomery Alabama 36101-0711

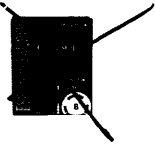
Please note, a copy will be served upon attorney for Dr. Jones as soon as an address is ~~is~~ recieved.

Pursuant 28 U.S.C. and Penalty of Perjury I attest the foregoing to be true and correct.

Done this date. 10-08-07

(Johnny Pandrum)  
P.O. Box 150  
Mt. Meigs AL 36057

Note: Exhibits attached (ARB)

**JOHN ALLEN JONES, III, M.D., F.A.C.S.****BAPTIST MEDICAL TOWERS • SUITE 804****2055 EAST SOUTH BOULEVARD • MONTGOMERY, ALABAMA 36116****Tel: 334-281-6688 • Fax: 334-281-0324****POST-OPERATIVE INSTRUCTIONS****EYE MEDICATIONS:** You will be given a prescription for **VIGAMOX** to be filled today.~~**OCUSOFT LID SCRUBS**~~, **ECONOPRED PLUS**, **SYSTANE PF**,  
and Tylenol are included in your post-op kit.~~**OCUSOFT LID SCRUBS:**~~Bathe your eyelids with the ~~LID SCRUBS~~ *Saline & Cotton Balls* once per day.**VIGAMOX:**Use one (1) drop in the operative eye 3 times a day for one (1) week.**❖ WAIT A FEW MINUTES BETWEEN DROPS ❖****ECONOPRED PLUS: (SHAKE WELL)**Use one (1) drop in the operative eye 4 times a day for one (1) week.**SYSTANE PF:**Use these over-the-counter artificial tears as needed for mild foreign body sensation or dryness. (Additional **SYSTANE PF** may be purchased at any grocery or drug store.)

- ❖ No strenuous activity until advised. No lifting things weighing over 20 pounds. If you must stoop, keep your head above your chest.
- ❖ Avoid getting soap or shower water in operated eye.
- ❖ You generally may see your beautician one week post-op.
- ❖ Notify Dr. Jones if decreased vision or pain is noted.
- ❖ It is not unusual for some "floaters" to be noticed. Some discomfort might be noted when out of doors or in a draft. For this reason, you are urged to wear wraparound sunglasses.
- ❖ You may use Tylenol or Advil for mild pain.
- ❖ You should sleep in your shield for the first 2 to 3 weeks post-operatively and wear protection during waking hours.
- ❖ Glasses will be prescribed 1 to 2 months following surgery, giving your eye time to heal. A change in prescription may be required within the first year following surgery.
- ❖ It is permissible to read, watch TV or otherwise use your eyes almost immediately. You are encouraged not to strain your eyes. Your vision should gradually improve every couple of days while your eye heals.
- ❖ Please keep follow-up appointments. They are generally as follows:  
one day post op;                      one week later; and                      four weeks later
- ❖ If you have questions, please ask. No question is stupid except unasked ones.
- ❖ Your insurance will be filed for you.
- ❖ If you cannot locate Dr. Jones for a problem, call the emergency room of the day. Ask you the ophthalmologist on call.
- ❖ The length of time required for decreased physical activity and/or time off from the job varies with each individual.

*Glenn Jones*Exhibit  
'A'*M. Jones**John Jones*



B0615700424 LANDRUM, JOHNNY  
 DOB: 03/03/56 Age: 50Y MR #: 704362  
 Admit Date/Time: 06/07/06 0651A  
 567 JONES, JOHN ALLEN



Baptist  
HEALTH

## ANESTHESIA SERVICES PATIENT/FAMILY INFORMATION SHEET

PATIENT INFORMATION

### PLEASE READ CAREFULLY

Your doctor has scheduled an operative, invasive or diagnostic procedure that requires the services of the Anesthesia Department. An anesthesia care team, consisting of an anesthesiologist and a certified nurse anesthetist will provide these services. Prior to your surgery a member of the care team will interview you and discuss your past medical history, current physical condition, and options for anesthesia services. The following list of anesthesia services is a brief explanation of the risks, benefits, alternatives, and possible complications. This list is not intended to be a complete list, but rather a summary.

- ☐ **GENERAL ANESTHESIA** produces an unconscious state - the whole body is affected. This type of anesthesia is produced by injecting drugs into the patient's bloodstream and by having the patient inhale other drugs. Frequently, the person who administers the anesthetic places a tube through the mouth or nose of the patient into the windpipe to aid in managing the patient's breathing. The placement of this tube can cause dental damage such as chipped or broken teeth and/or loss of a tooth or teeth. Occasionally, patients complain of pain and injury to the mouth and throat after undergoing general anesthesia. Strokes, brain damage, heart attacks and pneumonia are very rare complications of general anesthesia. **Rarely, a patient will experience recall (remembering a conversation and being aware of what is happening during the operation).**
- ☐ **SPINAL ANESTHESIA** involves the injection of a drug through a needle into the spinal canal. The injected drug causes a temporary loss of feeling and paralysis in approximately the lower half of the body. Usually, a local anesthesia is used to numb the skin where the needle is inserted so that the entire procedure produces very little pain or discomfort. Infrequently, the anesthesia produced by this method is not completely satisfactory. When this happens, another type of anesthesia may become necessary. The more common complications of spinal anesthesia are headache, backache and buzzing in the ears. Rare complications include heart attacks, generalized infections, nerve root injury (which could cause loss of function to certain parts of the body) and decreased blood pressure.
- ☐ **EPIDURAL ANESTHESIA** is produced in a manner similar to that of spinal anesthesia, except that the needle is not inserted as deep. Infrequently, the anesthesia produced by this method is not completely satisfactory. When this happens, another type of anesthesia may become necessary. The more common complications of epidural anesthesia are headache, backache and buzzing in the ears. Rare complications include seizures, heart attacks, generalized infections, paralysis and decreased blood pressure.
- ☐ **REGIONAL ANESTHESIA** (axillary, supraclavicular or interscalene block) is produced by injecting a drug mixture around nerves so that the area to be operated on is without feeling for a few hours. The injection is usually accomplished with very little discomfort for the patient. Occasionally, the anesthesia is not completely satisfactory and another type of anesthesia or the use of a different form of pain relief becomes necessary. Rare complications of regional anesthesia include generalized infections, paralysis of certain nerve roots, seizures and pneumothorax (lung puncture).
- ☐ **INTRAVENOUS REGIONAL ANESTHESIA** is a special type of regional anesthesia produced by injecting a drug into the veins of an arm or leg to which a tourniquet has been previously applied. A few patients complain of pain at the regional anesthesia injection site after surgery. Rare complications of intravenous regional anesthesia include generalized infections and seizures.
- ☐ **MONITORED ANESTHESIA CARE** Your physician may request that we monitor several of your body functions while he or she carries out a diagnostic procedure or does an operation under local anesthesia that he or she injects. Such monitoring helps to insure your safety and in itself involves minimal risk. If you become uncomfortable during the procedure, it may be necessary to give you drugs through a vein to help you relax or relieve discomfort. Some of these drugs may irritate the vein through which they are injected. This irritation is usually temporary. On rare occasions some of these drugs may produce such adverse effects as difficult breathing, changes in heart action and temporary loss of memory.

Patient or Responsible Party Signature

Date: \_\_\_\_\_

WITNESS: \_\_\_\_\_

Date: \_\_\_\_\_



CO 1500

White - Medical Record

Yellow - Patient

FORM # CO 15009 Revised 12/21/04

Exhibit 'B'

J. Merideth RN.

6-7-06

Schuyler Landry  
#34871 M-55-A  
P.O. Box 136  
Mt. Meigs Ala 36057

MONTGOMERY  
09 OCT 25

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P.O. Box 711  
Montgomery

36101-0711

10/10/2007



Johnny Hendrum  
#134871 M-55-A  
P.O. Box 136  
Mt. Neigs Ala 36057

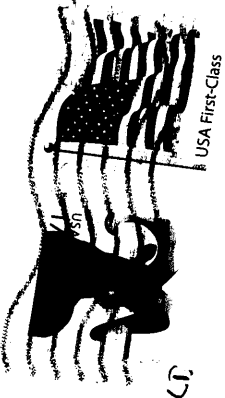
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